

**Notice of Allowability**

Application No.

10/686,625

Examiner

Kaitlin A. Wilson

Applicant(s)

SHAKLEE, RICHARD DEAN

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-3.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 10/17/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

### REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: The specific limitations of "said weight being heavier than said hood whereby releasing said weight causes said hood to be elevated" in the combination as claimed in claim 1; "said weight being heavier than said hood whereby releasing said weight causes said hood to be elevated" in the combination as claimed in claim 2; and "said weight being heavier than said hood whereby releasing said weight causes said hood to be elevated" in the combination as claimed in claim 3 are not anticipated or made obvious by the prior art of record in the examiner's opinion. For example, U.S. Patent 3,695,256 teaches a main support member (19) in conjunction with a weight attached to a traction cord. Pair of pulley assemblies are mounted to the support member to threadedly receive the traction cord and raise the neck support (130). U.S. Patent 4,825, 578 teaches a camouflage blind apparatus (10) which is to be suspended from a limb, where the apparatus includes a lanyard member (28), a weight (29), camouflage material (18) and stiffening circular members (24). U.S. Patent 6,769,442 B2 teaches a camouflage hood frame blind (10) where the hunter's weight holds the hood down and standing up causes the hood (15) to flip-up. U.S. Patent 4,458,707 teaches a camouflage cover (26) mounted to a tree (10) or vertical support through the use of ties (14). U.S. Patent 5,630,439 teaches a portable hut (1) that is comprised of a fabric cover (5) and vertical frame sections (33 and 34), which is mounted to a tree (3). U.S Patent 5,528,849 teaches a camouflage tube (10) that uses a plurality of hoops (20 and 22) to form an upstanding open-ended tube (10) that is suspended from a tree limb through the use of straps (28).

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However the prior art of record fails to teach or suggest the specific limitations of "said weight being heavier than said hood whereby releasing said weight causes said hood to be elevated " in the combination as claimed in claim 1; "said weight being heavier than said hood whereby releasing said weight causes said hood to be elevated" in the combination as claimed in claim 2; and "said weight being heavier than said hood whereby releasing said weight causes said hood to be elevated" in the combination as claimed in claim 3 .

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

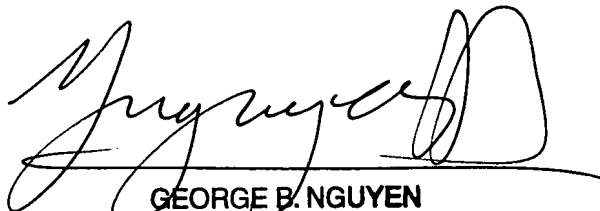
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaitlin A. Wilson whose telephone number is (571)-270-3206. The examiner can normally be reached on Monday- Friday (7:00am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Nguyen can be reached on (571)-272-4491. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kaitlin A. Wilson



GEORGE B. NGUYEN  
SUPERVISORY PATENT EXAMINER